



FEMA

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
STATEWIDE FEMA FUNDED SAND PLACEMENT PROJECTS
STATE OF NORTH CAROLINA**

BACKGROUND

Between September 7, 2018 and September 29, 2018, the storm surge from Hurricane Florence eroded the coastline of North Carolina. Due to Hurricane Florence, Dare County, Town of North Topsail Beach, Town of Oak Island and Town of Surf City, suffered substantial erosion of their beaches. Between September 1, 2019 and September 9, 2019, the storm surge from Hurricane Dorian also eroded the coastline of North Carolina and Town of Topsail Beach, Kill Devil Hills, Duck and Nags Head; Dare County and North Topsail Beach suffered further erosion of their beaches. Hurricane Isaias made landfall in North Carolina on August 3 and impacted the coastline; a Federal declaration and more projects in response to coastline erosion are anticipated. The communities (Subapplicants) identified the need to restore the capacity of the shoreline to withstand future storm events, reduce erosion, and decrease risk from future events to human life and improved property. The proposed action of placing sand to construct emergency berms or restore the beaches to pre-disaster conditions reduces the risk of storm damage to these communities, provides restoration of sea turtle and shorebird habitat, and increases the potential for recreational use of this open space.

In order to address the proposed actions of the aforementioned communities, as well as expedite the review and funding of similar future actions, a Statewide Programmatic Environmental Assessment (SPEA) was written to address proposed FEMA-funded emergency beach berm projects throughout the State of North Carolina that occur over 6 months post the Federally declared event or occur in conjunction with larger sand placement projects. Much of the proposed project funding will be provided to projects under FEMA's Public Assistance programs, along with State and private programs, as appropriate. Appropriate agency consultation and necessary documentation will be completed to ensure projects are in compliance with all applicable Federal, Tribal, State and local laws, regulations, EOs, etc. The SPEA evaluated two alternatives: (1) No Action and (2) the placement of sand to construct emergency beach berms or restore beach pre-disaster condition. Specific items of work may include, but are not be limited to:

- Construction of emergency beach berms to protect against additional damage from a 5-year flood event, when work occurs 6 months post the Federally declared event;
- If necessary, the placement of sand to provide a base for the berm is also eligible as part of the emergency protective measure
- Placement of dune grass on an emergency berm is only eligible if it is required by permit and is an established, enforced, uniform practice that applies to the construction of all emergency berms within the Subapplicant's jurisdiction, regardless of the circumstance.
- Placement of suitable sand within an engineered beach template to bring the beach back to its pre-disaster condition.

A Public Notice was posted on March 19, 2021, on the Subapplicants' websites and on FEMA's website. The Draft SPEA was available for public review for 30 days at <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/region/4>. The public was invited to comment on the Proposed Action and Draft SPEA. No public comments were received during the 30-day Public Comment period ending March 19, 2021.

FINDINGS

The Proposed Actions as described in the SPEA will impact physical, biological, coastal, water quality, cultural, floodplains, and social economic resources. Moderate impacts are expected on floodplain, listed species and designated species and critical habitat, migratory birds, and essential and fish habitat. These impacts require the Subapplicants and their agents to use Reasonable and Prudent Measures (RPMs) and follow all applicable agencies' approval or permit conditions and guidance in order to reduce and mitigate adverse impacts as needed. Coordination with the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), and National Marine Fisheries (NMFS) has taken place for the projects analyzed in this SPEA and will continue as needed with future projects to ensure any and all biological impacts are addressed and minimized should they occur. Short-term impacts to water quality and coastal resources are anticipated. Impacts to floodplains as the result of the proposed action are negligible and beneficial for open-space use. The proposed action is not expected to have significant adverse cumulative impacts on any resource based on the review conducted when added to past, present, and reasonably foreseeable future actions within the proposed project area.

CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

- The Subapplicant will obtain any applicable permits from the U.S. Army Corps of Engineers and comply with all conditions for the project, including the Special Conditions.
- The Subapplicant will obtain any applicable permits from the North Carolina Division of Coastal Management and shall comply with all conditions of the permit.
- The Subapplicant will follow the conditions below set forth by the consultation with the State Historic Preservation Office (SHPO):
 - o If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The Subapplicant will assure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The Subapplicant's contractor will provide immediate notice of such discoveries to the Subapplicant. The Subapplicant will contact the State Historic Preservation Office and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with the State Historic Preservation Office, tribes, and other consulting

- parties as necessary. If unmarked human remains are encountered during permitted activities, all work will stop immediately, and the proper authorities will be notified.
- o Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State of North Carolina and FEMA, prior to initiation of any work, for compliance with Section 106 of the NHPA.
 - o Prior to conducting repairs, Subapplicant must identify the source and location of fill material and provide this information to NCEM and FEMA. If the borrow pit is privately owned, or is located on previously undisturbed land, or if the fill is obtained by the horizontal expansion of a pre-existing borrow pit, FEMA consultation with the State Historic Preservation Officer will be required.
 - If the proposed activity occurs between November 15 and April 30, the Subapplicant will comply with all conditions from the USFWS Statewide Programmatic Biological Opinion for Sand Placement #04EN2000-2017-F-0126 issued to USACE on August 28, 2017.
 - If the proposed activity occurs between May 1 and November 15, the Subapplicant will comply with all conditions from the USFWS Statewide Programmatic Biological Opinion for FEMA Beach and Shoreline Recovery Projects #04EN2000-2021-F-0029 issued to FEMA on January 27, 2021.
 - If the proposed activity involves offshore dredging, the Subapplicant will comply with all conditions from the NMFS South Atlantic Regional Biological Opinion for Dredging and Material Placement Activities in the Southeast United States (SARBO) issued to USACE on March 27, 2020.

CONCLUSIONS

Based on the SPEA's findings, coordination with applicable agencies, public comments, as well as adherence to the conditions that the Subapplicant and their agents as indicated in this FONSI and all applicable agencies' approvals, permits, and guidance, FEMA has determined that the Proposed Action would be a major Federal action that will not significantly affect the quality of the natural and human environment, nor would it have the potential for significant cumulative effects. As a result of this FONSI, and in accordance with FEMA Instruction 108-1-1, an Environmental Impact Statement (EIS) will not be prepared and the proposed project as described in the attached SPEA may proceed.

APPROVAL

Stephanie Everfield
Regional Environmental Officer

Date _____